

## MILFORD PLANNING BOARD PUBLIC HEARING

November 17, 2015 Board of Selectmen's Meeting Room, 6:30 PM

### Members Present:

Christopher Beer, Chairman  
Paul Amato  
Steve Duncanson  
Janet Langdell  
Judy Plant  
Susan Robinson, Alternate member

### Staff:

Bill Parker, Outgoing Community Development Director  
Lincoln Daley, Incoming Community Development Director  
Shirley Wilson, Recording Secretary  
Nico Giokas, Videographer

### Prospective Alternate member

Douglas Knott  
Jacob Lafontaine

### Excused:

Tim Finan  
Veeral Bharucha, Alternate member

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### MINUTES:

1. Approval of minutes from the 10/20/15 meeting.

### NEW APPLICATIONS

2. **Amerco Trade, LLC – Elm St – Map 19, Lot 22.** Public hearing for a minor site plan to change the use to mixed commercial for a restaurant and motor vehicle sales facility.
3. **The Trombly Land Trust – North River Rd – Map 8, Lots 39 & 46.** Public hearing for a lot line adjustment and associated waivers from Milford Development Regulations Article V, Section 5.06.K and 5.06.L; *Submittal Requirements for Wetland Delineation and Slopes over 25%*.
4. **Millhaven Parks, LLC/Talisman Properties Milford Trust – Elm St – Map 7, Lot 3 & Map 14, Lot 2.** Public hearing for a lot line adjustment with access revisions.  
(*Meridian Land Services Inc*)
5. **Maine Atlantic Properties, Inc./Yellow Dog Car Wash – Jones Rd – Map 13, Lot 12-3.** Public hearing for a site plan amendment to expand one (1) wash bay to replace the drive-thru with a tunnel car wash.
6. **HTD Associates / Birdland Properties LLC – Powers and James Streets – Map 43, Lot 37 & Map 32, Lot 23-2.** Public hearing for a lot line adjustment involving two (2) lots.
7. **Birdland Properties LLC/East Milford Self Storage – James Street – Map 32, Lot 23-2.** Public hearing for a major site plan for a 20,000SF expansion of an existing storage facility with associated site improvements.

Chairman Beer called the meeting to order at 6:30PM. He introduced the Board and staff and explained the ground rules for the public hearing.

**MINUTES:**

S. Duncanson made a motion to approve the minutes from the 10/20/15 meeting as presented. J. Langdell seconded. J. Plant abstained and all else in favor. Vote 4-0-1; motion carried.

**NEW BUSINESS:**

**Amerco Trade, LLC – Elm St – Map 19, Lot 22.** Public hearing for a minor site plan to change the use to mixed commercial for a restaurant and motor vehicle sales facility.

*Abutters present:*

Aaron Kaplan, 257 Elm St

Ron Kaplan, 257 Elm St

*Chairman Beer recognized:*

Dawn Tuomala, Monadnock Survey, Inc.

Amir Khater, Amerco Trade, LLC

Chad Branon, FLC Realty Elm St Realty Trust

Chairman Beer read the notice into the record and verified that the application was complete. J. Langdell made a motion to accept the application. S. Duncanson seconded and all in favor. P. Amato made a motion that the application did not pose potential regional impact. J. Langdell seconded and all in favor. S. Wilson read the abutters list into the record.

D. Tuomala presented plans dated 11/17/15 and described the existing conditions. The drainage, designed in 1991 as leaching catch basins, will stay on site. We are not increasing any of the impervious surface and will display the cars for sale in the designated area. We are proposing to use the 450SF porch area in the front of the building as a sales office and the remainder of the building will be utilized as a restaurant, as it was in the past, but mainly for take-out as there is sufficient parking for forty-five (45) seats. We are also proposing to revise the landscaping in front with a few trees and small shrubs.

P. Amato inquired how the parking would be differentiated between the restaurant and car sales. D. Tuomala said it wasn't broken out but employee parking will be on one side and customer parking on the other. It was calculated at three (3) seats per parking space at fifteen (15) spaces for a restaurant without a lounge. We will probably have twenty (20) seats but are considering future plans.

J. Langdell said this is a tight space for two uses and inquired if there was enough space for access on the east side with the thirteen (13) display spaces. B. Parker replied yes, there is enough room for one car to get by; 20ft is sufficient for two-way travel.

S. Duncanson commented that there are fifteen (15) cars for sale, one (1) car being worked on and two (2) two other cars parked on the site, today. The site is limited to thirteen (13) display cars and one employee. A. Khater clarified that there will not be any repairs done on site, the hood was open because that one car wouldn't start. Currently the cars on site belong to other dealers and going forward we will only have thirteen (13) cars and they will all be owned by me and the office will only be used by me. J. Langdell said it needs to be clear on the plan that none of the other spaces are to be used for sales. Only thirteen (13) cars are allowed and that auto sales will only be permitted in the display area. A. Khater said he understands that and wants to make sure people can come in and out of the site. D. Tuomala said she added wording in the display area of the plan to that effect. P. Amato said a note should also be added stating that a maximum of thirteen (13) cars for sale at any given time and will only be allowed in the motor vehicle display area.

D. Tuomala said a note has been added regarding landscaping, per staff comments.

C. Beer read correspondence from Douglas Knott dated 11/16/15 and a brief discussion pertaining to the Development Regulations requirements ensued. J. Langdell stated that staff and the applicant can work out the

appropriate salt tolerant plantings for this site that will meet the intent of our regulations. L. Daley added that this plan is less compliant than the number of plantings on the 2003 plan. He then corrected the statement by saying it should be made comparable to the 1991 site plan that showed four (4) sugar maples and several shrubs in the strip along Elm St. It is an opportunity for the Board to capture what was originally approved and beautify the area along Elm St. D. Tuomala stated that they can work with staff. P. Amato added that landscaping is part of the visual and since the applicant has done some updating to the building and landscaping around the building may not be practical, more landscaping could be done in front. We need to make sure the landscaping happens this time and staff can handle the details, in this instance. S. Duncanson said he preferred two shrubs and two trees. J. Langdell said we shouldn't make assumptions and agreed that staff can work this through. L. Daley suggested changing the numbering of landscaping notes from 1, 2 & 5 to 1,2 & 3.

C. Beer read correspondence from the Milford Conservation Commission dated 11/13/15. D. Tuomala said we didn't do a stormwater analysis as we are not changing anything. S. Duncanson commented that it didn't make sense to change the raised bed. D. Tuomala explained that the site drains west to east across the parking lot and connects together into a leaching basin.

C. Beer paraphrased correspondence, in support of the site plan, dated 11/17/15 from: Thomas Bifsha, Frank Coffey, Christopher Guida of Fieldstone Land Consultants, Check Engine Auto Service at 455 Elm St, Jay & Jerry Klein, and Auto Brokers of Milford. J. Langdell noted that four of the six letters were a form letter.

Chairman Beer opened discussion to the public.

A. Kaplan distributed photos and explained that his major concern was about the fence on the west side of the property. The first picture depicts the fence going all the way to the front of the property; it was taken about ten years ago. Mr. Khater had removed and replaced it, but stopped far short of the original location. Only one post from the original fence is still standing and the good side is facing out which usually indicates ownership. I introduced myself and asked if Mr. Khater would continue the fence as it was before because it provides privacy and noise buffer for my tenants. I offered to finish it; however Mr. Khater said he would rip out the entire fence. He offered to add one more panel, but that was still short of the original location. After a very lengthy discussion on the pictures and subsequent events that transpired, by both Mr. Kaplan and Mr. Khater, Chairman Beer confirmed that this was a civil matter not in the purview of the Planning Board. D. Tuomala described the fencing on the plan and compared that to the photo submitted. P. Amato inquired if the applicant would put the fence back to the original location or if it was taken down for a reason. A. Khater said he would like to keep the fence where it is now and expressed concern with visibility from the street; people wouldn't be able to see the landscaping or the cars for sale, if the fence was closer to the road. J. Langdell brought up buffering considerations in the Development Regulations for the different uses and asked what do we think is necessary in order to respect the fact that we have a residential property beside a commercial property. P. Amato said he didn't know who owned the fence or who paid to put it up originally, but he would like to see the fence extended to where it was at the front of the property to provide that buffer. S. Duncanson said the direction the fence faces is purely aesthetics. After several suggestions from Board members, L. Daley said there is opportunity here to work with the applicant and the abutter to come to a solution that works for everybody; that can be done internally with staff. A solution would be to extend the fence from the former point of origin to behind the dumpster pad. In lieu of bringing the 7ft buffer up to the required 10ft, a full fence and some additional trees should go along the perimeter of the property line. J. Langdell stated that she travels Elm St regularly and prior to the fence getting moved around, she did not have any difficulty seeing past that fence to know what was being parked in front of that building. S. Duncanson agreed and said he didn't see a reason why the fence couldn't come out to 20ft from the road. A. Khater said someone exiting his property would not be able to see traffic. J. Langdell stated that it never was to the street and certainly sight distance trumps any buffer. A. Kaplan said that we are coming into winter and when the ground freezes, it becomes very difficult to put the posts in. C. Beer stated that the applicant, the abutter and staff will get together to work out the location of the fence and it will be designated on the plan. A. Kaplan also brought up headlights from cars turning into the lot, which will shine directly onto his property. J. Langdell added that the parking area is what will be blocked by fencing.

A. Kaplan also brought up concerns about auto repair on site, leakage from used cars sitting on the side of the property and cars parked on the driveway area. C. Beer stated that the Board is only approving auto sales, no repairs and the cars will only be in the display area. A. Kaplan said he had no issues with that and then cited

former ongoing violations from the previous owner regarding trash and debris. J. Langdell said that would be handled by Health and Code Enforcement.

Chairman Beer closed the public portion of the hearing at 7:30PM.

J. Langdell mentioned the green space on the side and suggested adding a few trees to add to the landscaping which will be decided upon and managed between staff and the applicant. She then inquired about the length of the parking spaces and the area. D. Tuomala replied 9ft spaces and the distance is 117ft. B. Parker added that the plan is based on the adjacent car lot's approved plan. J. Langdell reiterated that she just wanted to make sure there was enough space for a lot with multiple activities. We want your business to thrive.

P. Amato made a motion to grant conditional approval of the application, subject to the following conditions from the staff report dated 11/17/15, that;

1. A note be added to the plan stating that a maximum of thirteen (13) vehicles be allowed for sale within the display area at any given time and that this number be indicated within the motor vehicle display area on the plan;
2. The final landscaping details be worked out between staff and the applicant, and be shown on the plan;
3. A note be added to the plan stating that all landscaping be planted prior to the issuance of a certificate of occupancy or a security be provided to the Town to cover the cost of the landscaping subsequent to the issuance of a certificate of occupancy;
4. A solution for the fencing details be resolved between staff, the applicant and the owner of lot 19-1, and be shown on the plan.

S. Duncanson seconded and all in favor. Vote 6-0-0; motion carried unanimously.

Susan Robinson, alternate member, was called to sit.

**The Trombly Land Trust – North River Rd – Map 8, Lots 39 & 46.** Public hearing for a lot line adjustment and associated waivers from Milford Development Regulations Article V, Section 5.06.K and 5.06.L; *Submittal Requirements for Wetland Delineation and Slopes over 25%*.

*No abutters were present.*

*Chairman Beer recognized:*

Dawn Tuomala, Monadnock Survey, Inc.

Steve Trombly, Trombly Land Trust and Soiland, Inc.

Chairman Beer read the notice into the record and verified that the application was complete. J. Langdell made a motion to accept the application. S. Duncanson seconded and all in favor. P. Amato made a motion that the application did not pose potential regional impact. J. Langdell seconded and all in favor. S. Wilson read the abutters list into the record.

D. Tuomala presented plans dated 11/17/15 and explained that the purpose of the lot line adjustment is to move parcel A from lot 8/46 to lot 8/39 giving access and 75ft of frontage to the land-locked parcel. She also provided a brief history of the prior lot line adjustments pertaining to lot 8/46 and added that this will clean up previous deeds. We are asking for waivers from the Development Regulations to delineate the wetlands, buffers and slopes over 25% as these parcels total more than 80 acres and we are not changing the uses.

S. Duncanson inquired if the access would remain the same. D. Tuomala replied that there is no intent to move the driveway and we can do a deed easement which will reference the "right to cross" in the new deeds.

P. Amato referenced note #3 and commented that 75ft is less than the required frontage for the district. C. Beer explained that the applicant was not creating a new lot and this plan is making lot 8/39 less non-conforming. B. Parker added that if the applicant comes in for a building permit for a non-agricultural use, they would have to go before the ZBA and referenced NHRSA 674:32-b.I *any new establishment, re-establishment after disuse, or*

*significant expansion of an operation involving the keeping of livestock, poultry, or other animals may be made subject to special exception, building permit, or other local land use board approval.* D. Tuomala stated that the note has been added as #12 and that all monumentation has been set and noted on the plan.

Chairman Beer opened discussion to the public; there being none, the public portion of the hearing was closed.

J. Langdell read the memo from the Milford Conservation Commission dated 11/13/15 pertaining to the waiver request. After a brief discussion, P. Amato said nothing is changing and the driveway has been there for a long time. S. Duncanson agreed. S. Trombly stated that we are not creating a new road, it was there prior to Soiland, before 1949, and is used to access the barns. C. Beer read the response from Audrey Fraizer, chairperson of the commission, dated 11/16/15 to his email of same date asking staff to clarify the commission's concern when no new buildings, structures, roads or other land work was going to be done. J. Langdell stated that it is the purview of the commission to look at the wetlands although it is not required at this time and reiterated that the use is not changing.

P. Amato made a motion to grant the waivers from Milford Development Regulations Article V, Section 5.06.K and 5.06.L; *Submittal Requirements for Wetland Delineation and Slopes over 25%*. S. Duncanson seconded and all in favor. Vote 6-0-0; motion carried unanimously.

S. Duncanson made a motion to approve the lot line adjustment application. P. Amato seconded and all in favor. Vote 6-0-0; motion carried unanimously.

**Millhaven Parks, LLC/Talisman Properties Milford Trust–Elm St–Map 7, Lot 3 & Map 14, Lot 2.**  
Public hearing for a lot line adjustment with access revisions.

*No abutters were present.*

Chairman Beer recognized:  
Tim Ferwerda, Meridian Land Services, Inc.

Chairman Beer read the notice into the record and verified that the application was complete. J. Langdell made a motion to accept the application. S. Duncanson seconded and all in favor. P. Amato made a motion that the application did not pose potential regional impact. S. Duncanson seconded and all in favor. S. Wilson read the abutters list into the record.

T. Ferwerda presented plans dated 9/10/15 and explained that the purpose of the lot line adjustment is to keep more than the minimum lot size for 14/2 and give the remainder to the manufactured housing lot. There are no new proposed buildings or structures and the wetlands are shown on the plan. Any future long term plans for expansion of the park on lot 7/3 would have to come back to the Board.

J. Langell inquired about the access points for both lots. T. Ferwerda explained that there will be two driveways off Elm St for lot 7/3 and the two access points furthest to the west for lot 14/2 will be discontinued, seeded and loamed, so there will be a lot more permeable area on lot 14/2. The plan is to do all the work in the springtime and we will do a stormwater plan at that time. Access for lot 14/2 will be off the new road. J. Langdell brought up the possibility of planting more trees on the west side of the building and a brief discussion followed.

L. Daley read staff recommendations from the memo dated 11/17/15 and said an access easement for the proposed connector road would be required. It was submitted to staff today.

Chairman Beer opened discussion to the public; there being none, the public portion of the hearing was closed.

P. Amato made a motion to conditionally approve the application, subject to the recommendations from the staff report dated 11/17/15;

1. Prior to signing, the plan be revised as follows:
  - a. Add map and lot numbers to the parcels delineated on the 1"=100' plan and add Map 7 Lot 3 to the 1"=50' detail;

- b. A note be added indicating open space percentages for each parcel;
  - c. The metes and bounds be added to Lot 7/3 on the 1"=100' scale plan;
  - d. Add the DPW Driveway Permit Number for the new access to the plan; and
  - e. Add a note stating that the area where pavement is to be removed on Map 14/2 be loamed and seeded at the time the new driveway is constructed;
  - f. An access easement shall be submitted and recorded with the final plan.
2. All monumentation must be set for adjusted lot 14/2 and at the Elm Street frontage property corners of lot 7/3 or a security be provided to the Town to cover the cost of monumentation.

J. Langdell seconded and all in favor. Vote 6-0-0; motion carried unanimously.

**Maine Atlantic Properties, Inc./Yellow Dog Car Wash – Jones Rd – Map 13, Lot 12-3.** Public hearing for a site plan amendment to expand one (1) wash bay to replace the drive-thru with a tunnel car wash.

*No abutters were present.*

Chairman Beer recognized:

Chad Branon, Fieldstone Land Consultants, PLLC

Steve McDonough, Yellow Dog Car Wash

Chairman Beer read the notice into the record and verified that the application was complete. S. Duncanson made a motion to accept the application. J. Langdell seconded and all in favor. P. Amato made a motion that the application did not pose potential regional impact. S. Duncanson seconded and all in favor. S. Wilson read the abutters list into the record.

C. Branon presented plans dated 8/21/15 and architectural drawings dated 11/17/15 for the proposed car wash expansion. Currently there are two full interior and two exterior bays. We are proposing to do a 20ft x 30ft addition on the north side, extending one of the interior bays 600SF to support a tunnel car wash system, giving customers a full spectrum of vehicle washing options. The construction would be within concrete or paved area and we will not create additional impervious surface and there will be no impact or change to the stormwater system. The proposal meets all regulations.

S. Duncanson inquired about the hatch line on the architectural drawings. C. Branon stated that the concrete apron will be cut and the existing pay station will be removed. He then described the architectural elements and said the addition will maintain those of the existing structure. He also explained the tunnel wash operation.

P. Amato asked if the new bay would be staffed. S. McDonough replied that the tunnel wash will be a manned facility with hours of operation and the existing spray bay will continue to be open 24 hours. P. Amato brought up the queuing concerns from the original site plan and asked why this side for the manned tunnel. C. Branon answered that was because of the PSNH overhead service easement. J. Langdell added that there is far greater space on the lot itself to accommodate that queuing. P. Amato asked about the wash cycle. S. McDonough replied that the cycle takes two minutes in the abbreviated tunnel.

C. Beer read the staff recommendations from the memo dated 11/17/15 and it was noted that there were no comments from the Conservation Commission, after reviewing this plan. P. Amato commended the applicant for running a nice, neat, clean business; it has been a good addition to the Town.

Chairman Beer opened discussion to the public; there being none, the public portion of the hearing was closed.

J. Langdell made a motion to conditionally approve the application, subject to the recommendation from the staff memo dated 11/17/15;

1. That at the time of building permit application the applicant provide the necessary engineered drawings for the tunnel car wash for Water Utilities review and approval, and that prior to the start of construction the Water Utilities Department be contacted to mark the utilities on-site.

S. Duncanson seconded and all in favor. Vote 6-0-0; motion carried unanimously.

**HTD Associates / Birdland Properties LLC – Powers and James Streets – Map 43, Lot 37 & Map 32, Lot 23-2.** Public hearing for a lot line adjustment involving two (2) lots.

*Abutters present:*

Daniel Muller Jr., Cronin Bisson & Zalinsky PC-representing Stoney Creek Unit Owners Condominium Assoc.  
Jean Duffy, Stoney Creek Condominiums

*Chairman Beer recognized:*

Earl Sandford, Sandford Surveying & Engineering  
Mathew Ciardelli and Andrew Ciardelli, Birdland Properties

Chairman Beer read the notice into the record and verified that the application was complete. J. Langdell made a motion to accept the application. S. Duncanson seconded and all in favor. P. Amato made a motion that the application did not pose potential regional impact. J. Langdell seconded and all in favor. S. Wilson read the abutters list into the record.

E. Sandford presented plans dated 10/19/15 and described location of the lot line, between 43/37 and 32/23-2, which will be moved 2 acres to the east to facilitate the expansion of the self-storage facility. Access will be through the existing facility property off James St through a gated entrance.

Chairman Beer opened discussion to the public.

D. Muller asked if the existing stonewall would be removed as it could be an issue for access to the proposed back lot. E. Sandford replied that any stonewall removal would be part of the site plan application; there is no action with this application. P. Amato stated that if this subdivision/lot line adjust is approved, the applicant would own the stonewall. It would no longer be a boundary wall and they could do what they want on their property; it is a moot point for this application. J. Langdell added that it is customary practice for the Board to ask that the stones be reused somewhere on the property. The Heritage Commission usually makes that case as well.

J. Duffy said there are other stone walls on the property and as she understood, one is not supposed to take down or break apart a stonewall, in general. I see them all around town and there is no reason why they can't use Powers St to get into there. J. Langdell explained that it depends on the location of the wall and what it's used for. There are variables and considerations for stonewalls and this is not a scenic road or a property line. C. Beer further clarified stonewall regulations. J. Duffy then inquired about the road. C. Beer stated that would be part of the site plan application.

Chairman Beer closed the public portion of the hearing.

E. Sandford said that he will add a note for further clarification of the existing and revised lot sizes, per staff comments.

P. Amato made a motion to conditionally approve the application, subject to the recommendations from the staff memo dated 11/17/15 that;

That prior to signing, the plan be revised to indicate the following:

1. Add specific reference plans that were utilized for the new plan;
2. Add a note that prior to the signing of the plan all monumentation be set and noted on the plan or a security be provided to the Town to cover the cost of the monumentation;
3. Add a notation on the plan or in the notes that provides the current and final approved acreage for each parcel.

S. Duncanson seconded and all in favor. Vote 6-0-0; motion carried unanimously.

**Birdland Properties LLC/East Milford Self Storage – James Street – Map 32, Lot 23-2.** Public hearing for a major site plan for a 20,000SF expansion of an existing storage facility with associated site improvements.

*Abutters present:*

Daniel Muller Jr., Cronin Bisson & Zalinsky PC-representing Stoney Creek Condominium Unit Owners Assoc.

*Chairman Beer recognized:*

Earl Sandford, Sandford Surveying & Engineering  
Mathew and Andrew Ciardelli, Birdland Properties

B. Parker stated that this afternoon, staff received a copy of an appeal filed in superior court regarding the ZBA decision to grant a variance allowing the expansion of the East Milford Self Storage into the Industrial District. Staff checked with Attorney Drescher and he determined that it does not affect what the Planning Board is doing tonight and the Board can continue to move forward with the application. The existing facility in the Limited Commercial-Business District required received a variance as well.

Chairman Beer read the notice into the record and verified that the application was complete. J. Langdell made a motion to accept the application. S. Duncanson seconded and all in favor. P. Amato made a motion that the application did not pose potential regional impact. S. Duncanson seconded and all in favor. S. Wilson read the abutters list into the record.

E. Sandford presented plans dated 10/19/15 and gave an overview of the proposed expansion. The entrance will remain and the stonewall will be removed for access and drainage and yes, the stones will be reused in the new retaining wall. The retention pond exceeds expectations for handling stormwater and is similar to the design for the existing facility. We are proposing five (5) buildings totaling 20,000SF of additional storage area. There will be an easement in place with Mike Ciardelli to use the adjacent property for a portion of the detention pond. Water comes from Powers St onto the Ciardelli property before it goes into a massive wetland. The grade, water flow and drainage were reviewed in detail. Between the two ponds, we meet 100% infiltration for a 1" storm rainfall event and decreased the peak flow from off the site for all events. We do meet and are right at the 30% requirements for green space. He then gave a brief history of the site and showed where the stones will be reset. We voluntarily increased the buffer on the east side to 25ft to move the drainage and maintain existing vegetation and will use best management practices for stormwater management.

C. Beer inquired about the direction of water flow. E. Sandford replied that it naturally and by design flows away from the property to the south.

E. Sandford presented architectural drawings from the original self-storage application dated 6/15/11 and said the condo residents would be seeing structures similar to what is there now but the buffer will be a bit more substantial with more plantings. M. Ciardelli said in keeping with the same character with what is existing, we decided to match the roofline which is a 3 pitch which looks nicer. We will keep access on either side of the units to allow more options for the tenants. They will have the same doors and roofs as what is there. It's worked well functionally for snow and drainage. The heights will be the same on the 30ft buildings but the roofline on the 40ft buildings will be 3ft higher.

E. Sandford reviewed the demographics for self-storage and said three trips, in and out, is considered a busy day. This is a low impact use from a traffic, noise and visual aspect. It will be an excellent buffer between the residential condominiums and a more rigorous industrial use, so in terms of planning this will have less impact. Self-storage seems to be considered a residential use in Milford as it is only acceptable in the Residence R district. What industrial use would you consider better? S. Robinson said the visual aspect and buffer would be important to the occupants of the condominiums and they would appreciate a higher and denser buffer zone due height of the buildings. E. Sandford said he doesn't fault them for being sad at the disappearance of a lot of nice vegetation but it was zoned Industrial before any of the condominiums were built.

P. Amato asked how close to the property line would the clearing be. E. Sandford replied our intent is to leave 15ft of buffer plus 10ft for drainage regrading; however, we will have to excavate some to plant. P. Amato referenced a Google Earth image showing the existing landscaping. M. Ciardelli said the plan is to leave what we can in the 15ft buffer and excavate for the drainage. One of the disadvantages is that the condominiums excavated their property right up to the stonewall with no treed buffer. E. Sandford stated that they are only touching the area to enhance the screening or to replace the damaged or hazardous trees with new plantings. We

want to meet the landscaping regulations, that's why we voluntarily and for practicality extended the buffer 10ft. There are no wetlands on the site.

J. Langdell inquired how the trips per day were calculated. E. Sandford explained that it was not specific to this property; they are from a project in Londonderry. M. Ciardelli said it would be minimal. We currently have a gated access with key codes with approximately 120-140 turnovers a year and the average visit for current customers is once every six months. We get 4-5 cars on the weekdays and 10 cars on the weekend days. J. Langdell brought up the comment that Milford seems to like self-storage in residential areas and said it may have been more to strategically locate them along major routes and significant areas in town, when the planning was done for that zoning area. P. Amato said they started along Rte 13 South and North and they worked out from there. Storage units are a good development placeholder. S. Robinson noted that there is a huge demand for storage.

L. Daley inquired about the following:

*Ways to reduce the impervious surface and look at alternative designs:*

E. Sandford said there is a demand to be able to back a truck and trailer up to the units and they bring a prime rate. We didn't use any truck templates, the 40ft wide aisle is what it is and the buffer is already pushed back 10ft. M. Ciardelli explained there was concern from the Fire Department for 360 degree access around the buildings the first time through. E. Sandford clarified that there was 24ft at the side.

*Buffering on the south side of the property, tree identification and landscaping baseline:*

E. Sandford said this plan meets the regulations for screening and what would we gain by knowing ahead of time what trees would be saved? Discussion about landscaping replacements ensued. L. Daley suggested that the landscaping be identified on the property. S. Duncanson added that the final landscaping could be worked out between staff and the applicant. J. Langdell stated that the Board expects as many of the healthy, mature trees that are viable will be maintained and not substituted. We need to be practical while being sensitive to the abutters. M. Ciardelli said he'd rather see more lower evergreen trees that are more conducive to screening; some of the big tall pine trees are leaning and could take a whole building out. We are willing to sacrifice one of those for a 20ft-30ft evergreen tree. We will figure it out as we go through the excavation.

*Lighting plan:*

E. Sandford said no additional lighting is being proposed other than what is shown on the plan.

*Identification of the round circles on the edge of the paved area.*

E. Sandford said they were drill holes where we were hoping to put a wall, but they need to come off the plan.

*Well radius:*

E. Sandford said it's an existing dug well that will be filled and the excavation contractor is certified to work under that specific protocol.

*Snow storage:*

E. Sandford said it is patterned after the existing facility. M. Ciardelli explained that it is universally distributed around the perimeter. S. Duncanson referenced note #24.

*Alternatives to the chain link fence:*

E. Sandford said the existing fence is black, vinyl-clad chain link and we are just looking to connect to that. L. Daley asked if there is opportunity to do a more dense barrier like a wooden fence, abutting the residential area. M. Ciardelli said the chain link looks nicer than wooden and we are trying to stay conducive to the existing. P. Amato added that the fence would be 15ft from the stonewall.

*Plantings layout in the bio retention area:*

E. Sandford said he will do that and it will be comparable to the existing area.

*Landscaping Note #3:*

E. Sandford clarified that there aren't any plantings along the building and he will modify the note to remove the reference.

J. Langdell read the memo from the Milford Conservation Commission dated 11/13/15. E. Sandford said we will do some plantings in the bio retention area that will be consistent with the recommendation but would have to be creative with the flat swales. M. Ciardelli said the existing facility exceeds expectations so what is the point in trying to change things now. J. Langdell said the Commission brought up a good point relative to the pervious surface as there are alternatives that support drainage as well as emergency vehicle weight. A brief discussion on products, costs and benefits followed.

Chairman Beer opened discussion to the public.

J. Duffy said some really good points were made tonight. She then asked how many feet the building would be from the stonewall. E. Sandford replied 50ft. J. Duffy said that some trees do need to come down, but not a lot do. I did see those that are marked, but don't take down the trees that are good. I see them from my window and I do hope you don't take them down for convenience sake. Also, why do these buildings have to be taller? C. Beer explained the pitch of roof, and stated that only the roofline will be taller, not the buildings. J. Duffy said she was pleased that you are going to leave the trees and save a tree.

D. Muller said the Board has addressed the association's biggest issue which deals with the buffer but we don't necessarily agree with this being the best use as a buffer between residential and industrial. The current development was much better from my client's standpoint or another allowed use is agriculture. The other consideration when you are talking about the buffer is that these are three-story buildings and the architecture still looks like a warehouse and the third floor condo residents will be looking down onto a sea of roofs. Will the trees be tall enough to block the view going down? The other residents are looking for something with a rural feel and, with all due respect to the applicant, this doesn't create a rural feel. It's nice that they are going to do a 15ft buffer and it's nice to say they will leave the healthy trees, but without knowing exactly what those hazardous trees are, it is hard to visualize what this buffer is going to look like in the end. Also, what will the hours of operation be? J. Langdell replied 7AM to 9PM; it is a condition of the ZBA variance. P. Amato inquired about the setback for the Stoney Creek Condos. D. Mueller said he didn't know. E. Sandford said the buildings are set back further because there is an asphalt parking lot between the building and tree line. J. Langdell added that there is only a strip of grass, no other landscaping. D. Muller said the condo site plan was done back in the mid 1980's and reiterated that the buffer issue is the association's main concern. They would like to see evergreens planted if new trees are put in to preserve what you can of a rural feel. P. Amato said we'd ask the same thing if this were being developed for industrial. S. Duncanson this could be developed as a two-story industrial building and the residents would be looking at a big flat roof. D. Muller said, as a practical matter, it was brought up at the ZBA meeting that due to the topography you couldn't do much from a development standpoint.

Chairman Beer closed the public portion of the hearing.

L. Daley read staff recommendations from the memo dated 11/17/15.

J. Langdell asked if the plan changes significantly relative to stormwater design, would we want to see this plan again? E. Sandford said the drainage is a comprehensive, integrated design that includes the existing facility. We've done the analysis for the accumulated flow and although there may be some minor modifications to the swale those comments may have been made prior to seeing the drainage report. The stormwater management plan was submitted to the town yesterday. J. Langdell noted that there should be a condition pertaining to the pending lawsuit that any significant changes to this plan would have to come back to the Board. L. Daley asked what would trigger a significant change. J. Langdell said she just wanted to put the caveat out there. P. Amato said it could be staff determination. J. Langdell said that the Planning Board should make that determination.

P. Amato made a motion to conditionally approve the application, subject to the following staff recommendations from the memo dated 11/17/15 that;

1. That prior to signing, the plan be revised to indicate the following:
  - a. The Retention Pond Notes be detailed on the plan;
  - b. Note #3 on the landscaping plan be revised to remove the plantings along the building;
  - c. Note #4 be revised to state that the site is zoned partially Limited Commercial Business and Industrial;
  - d. Indicate the dividing line between the Limited Commercial Business and Industrial districts;
  - e. A note be added referencing the currently approved site plan and that all applicable conditions of that site plan approval remain in effect.
2. A stormwater management plan be submitted and reviewed by staff;
3. Any modifications be made to address stormwater management design criteria. (*Note: if the plan changes significantly the Board may wish to see it again before signing the plan*);
4. If any change is made to this plan as a result from legal action, the applicant shall return to the Planning Board to determine if additional review will be required.

S. Duncanson seconded and all in favor. Vote 6-0-0; motion carried unanimously.

**OTHER BUSINESS:**

J. Langdell initiated discussion on changing the dates for regular Planning Board meetings. This Board has been without a BOS representative for almost a year, with the loss of Kathy Bauer. That undermines any communication strides we have made and that channel is not open. We have been working with the BOS and also discussed this when Chris and I met with Mark Bender and Mark Fougere yesterday. Kevin Frederico is willing to be the representative can attend the first and fourth Tuesday meetings, so the logistics will need to be implemented with respect to staff and developers. L. Daley said February might be a good time to begin, but staff will need to discuss this internally and also can the Board find out if Mark Fougere is available as the alternate representative on the first and fourth. J. Langdell reiterated that Kevin is available on the first and fourth. J. Plant noted that no one has attended any of the first Tuesday worksessions either and she just wants to be sure that Kevin will be available for our meetings. B. Parker inquired if this was being done to accommodate Kevin Frederico; his term is up in March and will most likely run, but why go through all this change if he doesn't get re-elected or re-up. Can the Board wait until March? J. Langdell added that this this is a legal RSA position that is not being filled and a lengthy discussion on BOS participation ensued. S. Duncanson said that he didn't feel going from the third week to the fourth week would be that big of a deal and it might help us get more information from the other Boards so we wouldn't be getting additional information at the eleventh hour; he would like to proceed as soon as possible. S. Robinson said she is willing to do whatever is needed to get a compliant Board member here. Discussion on when to begin the change, February or after March ensued.

S. Duncanson made a motion to change the meetings to the fourth Tuesday of the month beginning in February 2016. J. Langdell seconded and S. Robinson, S. Duncanson, J. Langdell, J. Plant and C. Beer voted in the affirmative with P. Amato voting in the negative. The motion carried 5-1-0.

S. Wilson noted that Doug Knott is scheduled to meet with BOS next Monday at 5:45 for appointment as alternate member.

The meeting was adjourned at 10:00PM on a motion by S. Duncanson and seconded by P. Amato.

Motion to approve: J. Langdell  
Seconded by: V. Bharucha

**MINUTES APPROVED AT THE JANUARY 19, 2016 MEETING.**